



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

June 24, 2015

TO: Supervisor Michael D. Antonovich, Mayor
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FROM: Richard J. Bruckner ^{DLS} for _{RJB}
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REPORT ON THE BOARD MOTION REGARDING EQUITY DEVELOPMENT TOOLS AND THE GENERAL PLAN UPDATE (MARCH 24, 2015, ITEM 4)

On March 24, 2015, the Board of Supervisors (Board) instructed the Director of Planning, in coordination with other County departments to consult with experts, community groups, and other stakeholders to evaluate equitable development tools and concepts, and to report back with recommendations. These recommendations should include, where necessary, amendments to the General Plan incorporating those that are advisable and with a strategy for implementing these tools and concepts via both future planning documents and projects undertaken individually or collaboratively with other departments. The Department of Regional Planning was instructed to report its findings to the Board within 90 days.

The attached Equity Development Tools Report, as directed by the Board motion, looks at how equity can be addressed in the unincorporated areas of Los Angeles County through the implementation of the General Plan. Therefore, for the purpose of this report, the discussion of equity development tools is focused on strategies related to land use and growth. The report is organized into four parts:

- Part One: Provides an overview of the equity framework established by the General Plan, and highlights existing equity development tools for the unincorporated areas.
- Part Two: Is a snapshot of the unincorporated areas to highlight equity challenges and to provide context. The analyses consider socioeconomic data, market data, and environmental justice data.

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Part Three: Presents a toolbox of equity development tools that can be applied to local projects that implement the General Plan. The tools discussed are value capture strategies; local hiring policies; community land trusts; linkage fees on commercial development for affordable housing; inclusionary housing; data-driven decision-making, using health, safety, and environmental indicators; and green zones.

Part Four: Consists of findings based on the staff's research of the unincorporated area context and equity development tools, and stakeholder interviews. This section also includes the following additional considerations for the Board: develop an equity scorecard; standardize and coordinate development agreements and community benefit agreements; amend the density bonus ordinance; establish a green zones pilot program; and develop equity outreach framework.

Should you have any questions regarding the General Plan Update, the Equity Development Tools Report, the Housing Element Update, or the Community Climate Action Plan, please contact Connie Chung at cchung@planning.lacounty.gov or (213) 974-6417.

RJB:MPC:CC:cc:ems

Attachment: Equity Development Tools Report

c: Executive Office, Board of Supervisors
County Counsel
Chief Executive Office
Community Development Commission
Parks and Recreation
Public Health
Public Works

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EQUITY DEVELOPMENT TOOLS REPORT

Los Angeles County
Department of Regional Planning
General Plan Development / Housing Section

June 24, 2015

ACKNOWLEDGEMENTS

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INTRODUCTION

At the public hearing for the General Plan on March 24, 2015, the Board instructed the Department of Regional Planning, in conjunction with other County departments, to consult with experts, community groups, and other stakeholders to evaluate equitable development tools and concepts. Addressing equity means prioritizing policies, actions, and resources in communities that face socio-economic, educational, environmental, and health challenges. Many unincorporated communities in Los Angeles County have a concentration of low income residents, lower educational attainments, poor air quality, and other challenging environmental conditions that impact the economic and physical health of residents. This report looks at how equity can be addressed in the unincorporated areas of Los Angeles County through the implementation of the General Plan. Therefore, for the purpose of this report, the discussion of equity development tools will be focused on strategies related to land use and growth. A successful approach to equity is conceived out of community dialogues, and a deep understanding of market conditions and physical environments. The use of equity development tools should ultimately result in equal choice to neighborhoods, revitalization of neighborhoods, and access to resources such as healthy food, affordable housing, jobs, safe and reliable transit, bike and pedestrian facilities, parks, safe quality schools, health care, clean air and water, and a stable and high quality of life.

The report is organized into four parts:

Part One provides an overview of the equity framework established by the General Plan, and highlights existing equity development tools for the unincorporated areas.

Part Two provides a snapshot of the unincorporated areas to highlight equity challenges and to provide context. The analyses consider socio-economic data, market data, and environmental justice data.

Part Three presents a toolbox of equity development tools that can be applied to local projects that implement the General Plan. The tools discussed are value capture strategies; local hiring policies; community land trusts; linkage fees on commercial development for affordable housing; inclusionary housing; data-driven decision-making, using health, safety, and environmental indicators; and green zones.

Part Four consists of findings based on staff's research of the unincorporated area context and equity development tools, and stakeholder interviews. This section also includes the following additional considerations for the Board: develop an equity scorecard; standardize and coordinate development agreements and community benefits agreements; amend the density bonus ordinance; establish green zones pilot program; and develop equity outreach framework.

PART ONE: GENERAL PLAN UPDATE

GENERAL PLAN UPDATE

On March 24, 2015, the Board of Supervisors held a public hearing and indicated its intent to approve the General Plan Update. The General Plan Update is the first update to the Countywide General Plan since 1980. The General Plan includes five guiding principles that are intended to ensure that all aspects of the General Plan address sustainability. One of the five guiding principles is to provide Healthy, Livable and Equitable Communities, which includes addressing environmental justice and safety. Another guiding principle, which is to ensure that community services and infrastructure are sufficient to accommodate growth, highlights access to services and infrastructure as a quality of life issue. The General Plan provides information and raises awareness regarding a number of environmental issues that impact the unincorporated communities of the County, including but not limited to impacts from excessive noise, water pollution, air pollution, heavy industrial uses, etc. The General Plan also emphasizes the importance of: sufficient services and infrastructure; protecting and conserving open space, natural and resource areas, and making them accessible; preventing and minimizing pollution impacts; and stakeholder participation in planning efforts.

PLANNING AREAS FRAMEWORK

The General Plan is the foundational document for all community-based plans that serve the unincorporated areas. The purpose of the Planning Areas Framework is to provide a mechanism for local stakeholders to work with the County to develop plans that respond to the unique and diverse character of their communities. The Planning Areas Framework divides the County into 11 areas. Each area is appropriately sized to ensure that the County can provide a high level of planning service.

ELEMENTS

The General Plan includes a comprehensive update to nine elements. Below is a summary of goals and policies in each element that support equity development:

LAND USE ELEMENT: includes policies related to special management areas, including military installation and operation areas; brownfields redevelopment as a strategy for infill development and neighborhood revitalization; and land use compatibility related to military installations, airports, energy facilities, landfills, solid waste disposal sites, etc. The Element also discusses the importance of public health considerations, including addressing poor air quality, polluted stormwater runoff, deteriorated housing conditions, and ground and surface contamination. In particular, the Element includes policies that prevent impacts associated with residential and community-serving uses being located within or adjacent to industrial uses.

MOBILITY ELEMENT: includes a number of policies that address access to mobility resources for users of all ages, including people walking, bicycling, driving, taking transit, seniors, children, etc. The Element includes goals and policies that support transportation networks that minimize negative impacts to the environment and communities, and emphasize the importance of

ensuring the participation of all potentially affected communities in the transportation planning and decision-making process.

AIR QUALITY ELEMENT: discusses air pollutants, how they are regulated, and the health implications. In particular, the Element highlights an issue that is of concern throughout the State, which is the impact of traffic pollution on sensitive receptors.

CONSERVATION AND NATURAL RESOURCES ELEMENT: emphasizes the importance of preserving, enhancing and managing the County's natural and resource areas.

PARKS AND RECREATION ELEMENT: discusses the need to plan for parks and recreation programs that are accessible and sustainable, and that are designed to meet the needs of diverse users. The Element includes a preliminary parks gap analysis to demonstrate the need for more parks in the unincorporated communities of the County.

NOISE ELEMENT: discusses the impacts of excessive noise, how it is regulated, and the health implications. The goals and policies place an emphasis on reducing and preventing excessive noise impacts through regulations, coordination and planning.

SAFETY ELEMENT: references the County's Los Angeles County Integrated Waste Management Plan and Local All Hazards Mitigation Plan, which include a compilation of known and projected hazards in the County. The Element also outlines the locations of geotechnical and seismic, fire and flood hazards in the County, and discusses the need for adequate emergency response services.

PUBLIC SERVICES AND FACILITIES ELEMENT: discusses the need for sufficient, sustainable and efficient infrastructure, from trash hauling to early care and education.

ECONOMIC DEVELOPMENT ELEMENT: references the land use compatibility issues discussed in the Land Use Element to highlight as economic development issues, and also includes a policy to ensure environmental justice within economic development activities. Furthermore the Element discusses opportunities for workforce development, and the importance of job training and education in economic development.

COMMUNITY CLIMATE ACTION PLAN

The Community Climate Action Plan (CCAP) is a component of the Air Quality Element. The CCAP identifies greenhouse gas (GHG) emissions related to community activities in the unincorporated areas; establishes a reduction target; and provides a road map for successfully implementing actions selected by the County to reduce GHG emissions. The CCAP sets a goal of reducing GHG emissions by 11 percent from 2010 levels, or approximately 2.4 million metric tons of carbon dioxide equivalent. According to the United States Environmental Protection Agency (US EPA), this reduction equates to removing 506,000 passenger vehicles from the road every year, reducing gasoline consumption by more than 272 million gallons, and providing renewable energy to power over 121,000 homes. The CCAP works in conjunction with the County's other efforts to address global warming, including strategies to reduce GHG emissions from municipal activities and to address climate change adaptation.

IMPLEMENTATION PROGRAM: HIGHLIGHTS

There are 47 implementation programs in the General Plan. Programs range from updates to the County Code to the preparation of plans. A sample of programs that provide opportunities for addressing equity through the implementation of the General Plan are highlighted below:

PLANNING AREAS FRAMEWORK PROGRAM: The program entails the preparation of or update to an area plan for each of the 11 planning areas established by the General Plan.

TRANSIT ORIENTED DISTRICT (TOD) PROGRAM: The program entails the preparation of specific plans, or a similar mechanism for each of the Transit Oriented Districts established by the General Plan. The goals of the TOD specific plans are to: increase walking, bicycling, and transit ridership and reduce vehicle miles traveled; facilitate compact, mixed use development; increase economic activity; facilitate the public investment of infrastructure improvements; and streamline the environmental review process for future infill development projects.

COUNTY PARKS AND RECREATION MASTER PLAN: The program entails the preparation of a comprehensive Countywide Parks and Recreation Master Plan with a needs and demands analysis, in-depth gap analysis, evaluation of existing facilities and programs, asset management strategies, and implementation actions. The Department of Parks and Recreation is currently working on Phase I of the Master Plan, which consists of community parks and recreation plans for six of the most park-poor unincorporated communities in the County: East Los Angeles, East Rancho Dominguez, Lennox, Walnut Park, West Athens-Westmont, and Willowbrook.

PLANNING AREA CAPITAL IMPROVEMENT PLANS: The program entails securing funding and preparing a capital improvement plan for each of the 11 planning areas that include the following as needed: sewer capacity study; transportation system capacity study; waste management study; stormwater system study; list of necessary infrastructure improvements; implementation program; and financing plan. Utilization of an industry standard rating system such as Envision™ for capital improvement planning will provide equitable infrastructure services that enhance community quality of life and economic development, and support a sustainable and resilient community.

EXISTING EQUITY DEVELOPMENT TOOLS: HIGHLIGHTS

HOUSING ELEMENT UPDATE

The Housing Element, which is a component of the General Plan, was adopted by the Board of Supervisors in 2014. The Housing Element serves as a policy guide to address the comprehensive housing needs of the unincorporated areas. The primary focus of the Housing Element is to ensure an adequate supply of decent, safe, sanitary, and affordable housing for current and future residents of the unincorporated areas, including those with special needs. The Housing Element includes a number of implementation programs related to fair housing, environmental justice, affordable housing preservation, and CEQA streamlining. For more information, please visit the DRP web site at <http://planning.lacounty.gov/housing>.

BICYCLE MASTER PLAN

The Bicycle Master Plan, which is a sub-component of the Mobility Element of the General Plan, was adopted by the Board of Supervisors in 2012. The Bicycle Master Plan guides the implementation of proposed bikeways as well as various bicycle-friendly policies and programs to promote bicycle ridership amongst users of all ages and skill sets. The Bicycle Master Plan proposes approximately 831 miles of new bikeways throughout the County for implementation through 2032. The Plan includes an implementation program that prioritizes projects based on a number of factors, including crash data and obesity rates. For more information, please visit the DPW web site at <http://dpw.lacounty.gov/pdd/bike/masterplan.cfm>.

DENSITY BONUS ORDINANCE

On August 8, 2006, the Board of Supervisors adopted the Density Bonus Ordinance, which includes eligibility, regulations, and procedures for the granting of density bonuses and incentives for affordable and senior citizen housing—as required by the State Density Bonus Law. The Ordinance goes beyond the state-mandated requirements by providing options for additional density bonuses and incentives for affordable housing and senior citizen housing through a discretionary procedure. In addition, the Ordinance uses a menu of incentives to encourage projects that provide 100 percent affordable units, are located near transit, and/or provide infill development. Senate Bill 1818 made significant changes to the State Density Bonus Law on January 1, 2005. Since that law took effect and as of the end of 2014, the Department has approved a total of 871 affordable units and 1,118 market rate units (including senior housing).

SECOND UNIT ORDINANCE

On March 4, 2004, the Board of Supervisors adopted regulations and procedures for second units, as required by State law. As of the end of 2014, the Department has approved a total of 539 units since 2004.

MARINA DEL REY AFFORDABLE HOUSING POLICY

The unincorporated community of Marina del Rey is located in the coastal zone and is required to incorporate affordable housing, per the Mello Act and the Los Angeles County Marina del Rey Affordable Housing Policy. The purpose of the Marina del Rey Affordable Housing Policy is to ensure that all new residential development in Marina del Rey complies with the Mello Act by preserving existing affordable housing supplies and creating new affordable housing units, where feasible, while balancing the County's ability to generate revenues from its Marina ground leases for Countywide public benefit programs. As of June 2015, there are 132 (87 Very Low, 28 Lower, and 17 Moderate) existing affordable units, and an additional 128 (19 Very Low, 79 Lower, and 30 Moderate) approved or under construction.

LOCAL HIRING POLICIES

The County has experience using project labor agreements. These agreements have been applied on a project-by-project basis. The MLK Inpatient Tower and MLK Outpatient Center projects, for example, include a local hire policy of 30 percent of total construction labor hours to

be performed by qualified workers living within a five mile radius of the project or qualified workers who live in one of the County zip codes where unemployment exceeds 150 percent of the County's average employment rate. Ten percent of those hours must be performed by disadvantaged workers defined as those local workers who also live in poverty. Many other public projects are listed at <http://dpw.lacounty.gov>,¹ and Supervisor Mark Ridley-Thomas has a readily available listing of projects in the Second Supervisorial District that employ local hire policies at <http://ridley-thomas.lacounty.gov>. The Los Angeles County Community Development Commission (CDC) also requires local hiring for projects sponsored by CDC.

Local hire policies in development agreements and community benefit agreements (CBAs) can range from stipulating the number of permanent jobs created by the project to local hiring requirements during construction. It may also specify whether jobs created under future lease and contract agreements are similarly stipulated. Examples of a few recent projects in the unincorporated areas that employed development agreements and CBAs that required local hiring are the Pacific Concourse multi-family residential housing development in Del Aire (2006); the Kohl's Department Store in East Pasadena-East San Gabriel (2008); the Universal Studios Specific Plan (2013); and the Malibu Institute (2014).

¹ Of note is DPW's Youth Opportunity Program. As young people aged 17½ to 19 leave the Probation system, the Program provides job readiness and on-the-job training through a structured 18-month intensive program that includes mentoring, case management, academic and mental health support, paid internships, and preparation to compete for a broad range of permanent entry-level positions within DPW.

PART TWO: EQUITY CHALLENGES IN THE UNINCORPORATED AREAS

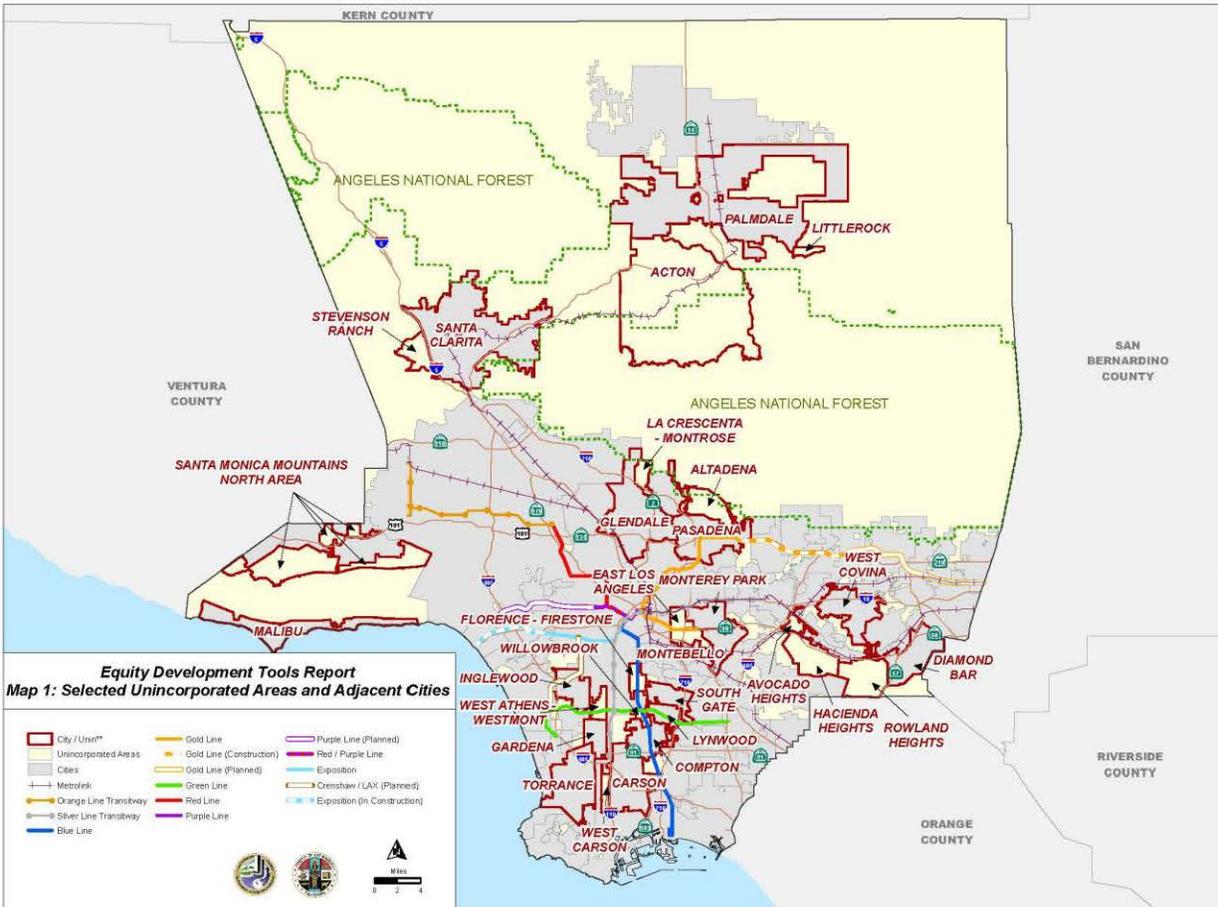
SOCIO-ECONOMIC AND MARKET ANALYSIS

This section provides a snapshot of the unincorporated areas to highlight equity challenges and to provide context. Two analyses were conducted to compare the unincorporated areas with adjacent cities in terms of socio-economic, market, and/or environmental conditions. The first analysis is a comparison between select unincorporated communities and adjacent cities (see Map 1). The second analysis is a comparison of the Transit Oriented Districts (TODs), or areas within a half-mile radius² from major transit stations in the unincorporated areas, with 14 cities where the transit stations are located (see Map 2).

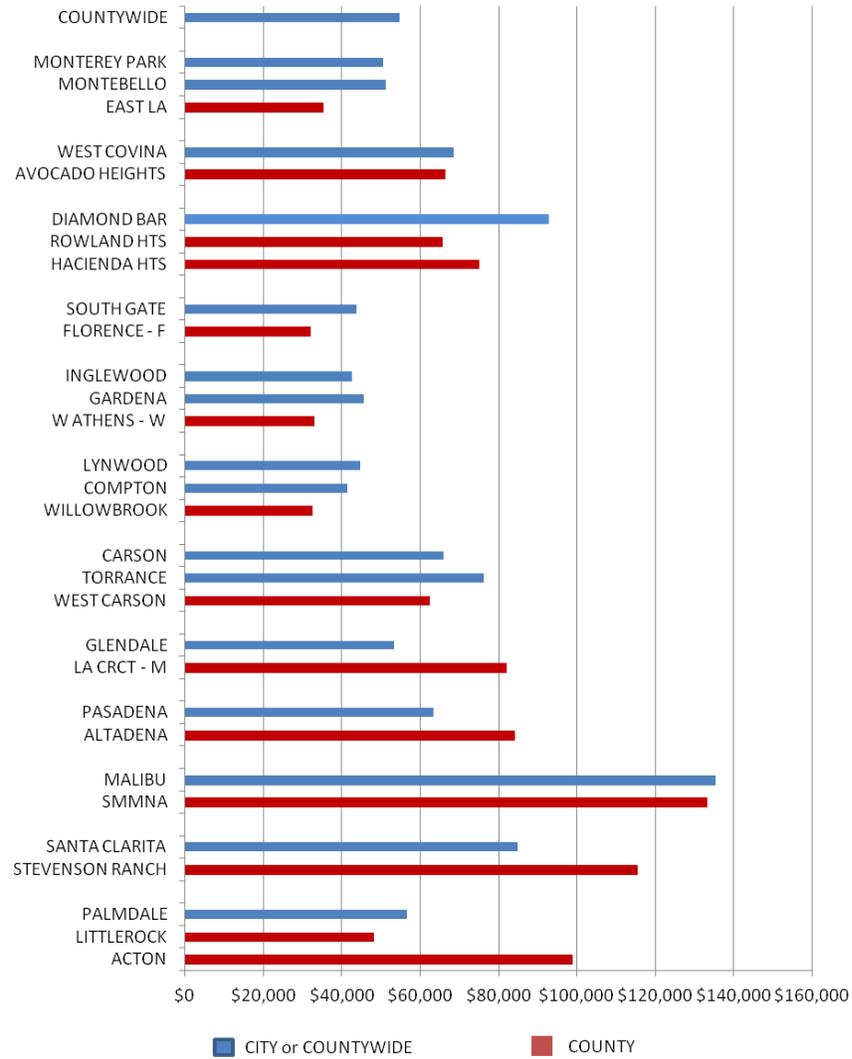
COMPARISON OF SELECT UNINCORPORATED COMMUNITIES AND ADJACENT CITIES

The following are a series of graphs that show median household income, per capita income, median home value, percentage of households with income below poverty level, unemployment rate, and pollution level for select unincorporated communities and cities. Together, these indicators illustrate a community's socio-economic, market and environmental conditions. In general, the socio-economic and pollution conditions in the unincorporated communities vary greatly. When compared to adjacent cities, most of the unincorporated communities have lower income households and lower home values. Higher pollution scores for many of the unincorporated communities also indicate that these areas are more vulnerable and exposed to environmental impacts.

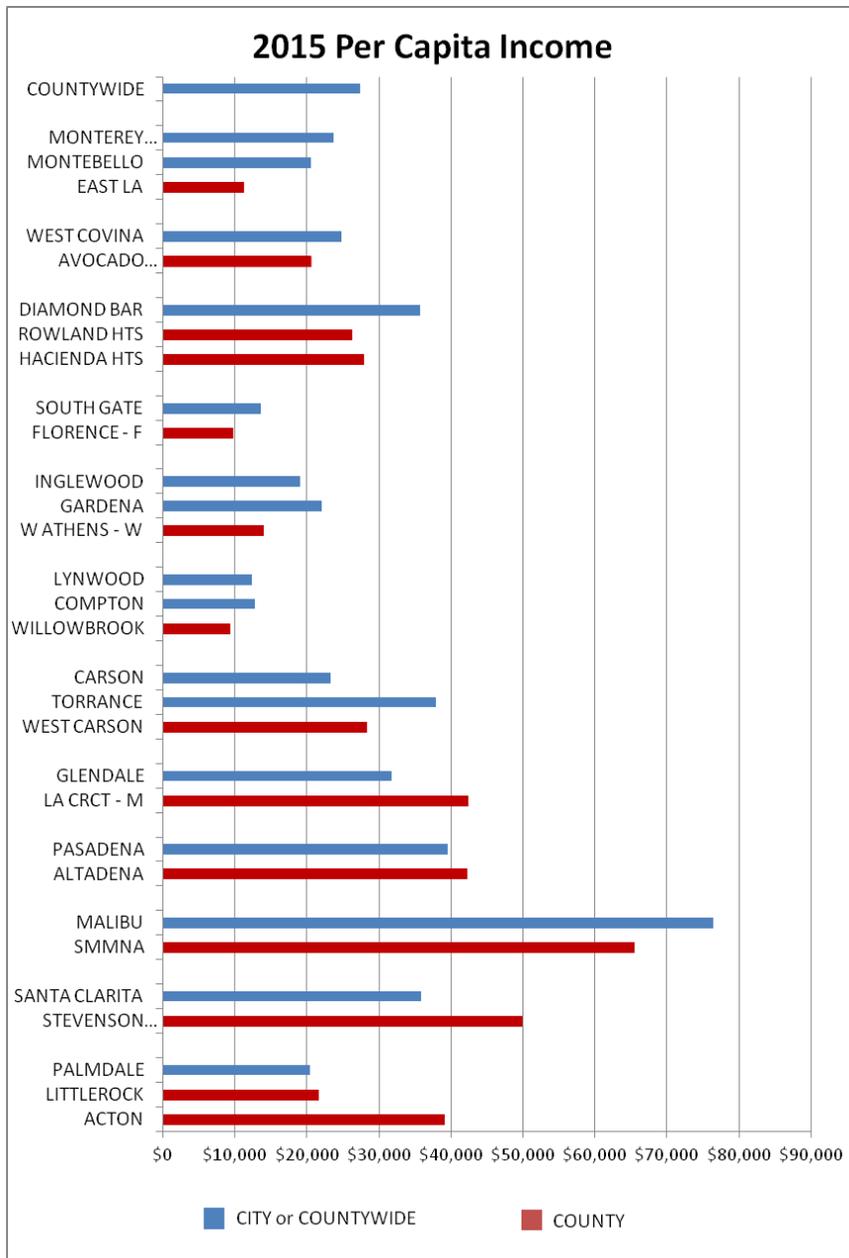
² All of the TODs studied conform to a half-mile buffer from the transit station with the exception of the TOD in East Los Angeles that was part of a Specific Plan adopted in 2014. This has a parcel-specific boundary that conforms to the Specific Plan boundary.



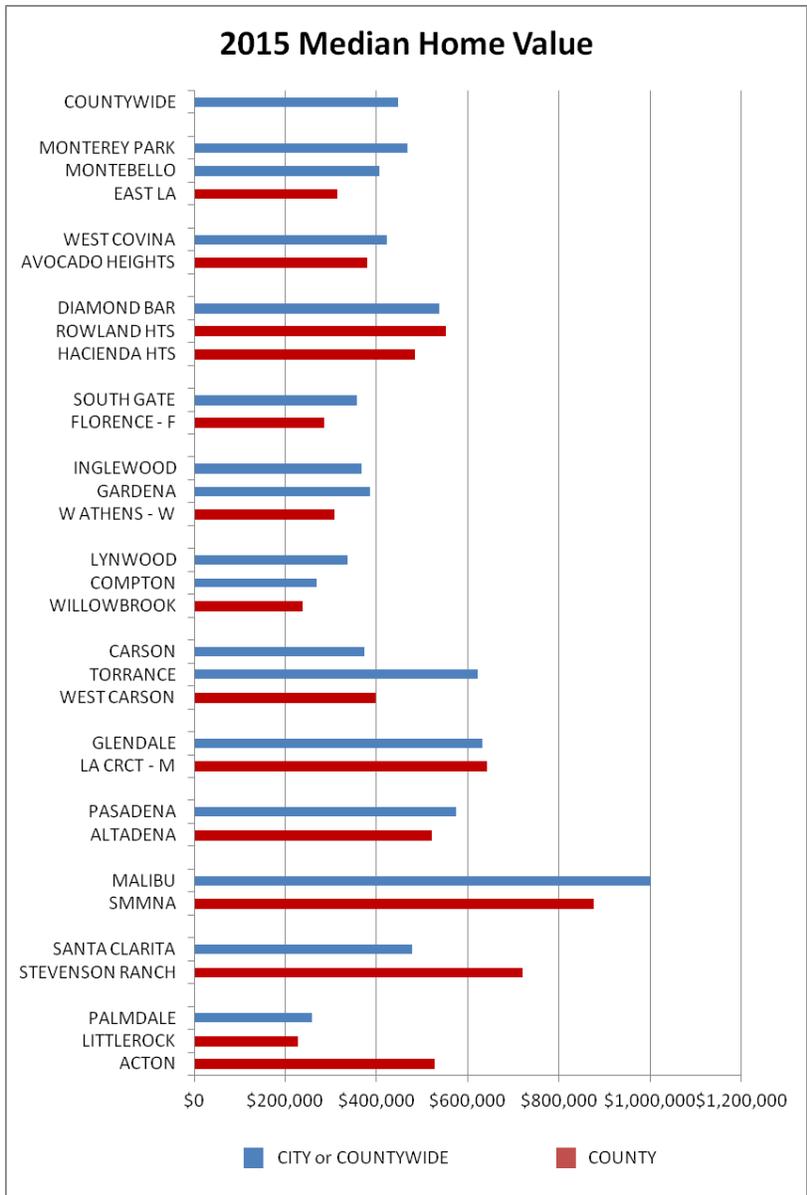
2015 Median Household Income



Source: Esri, 2015



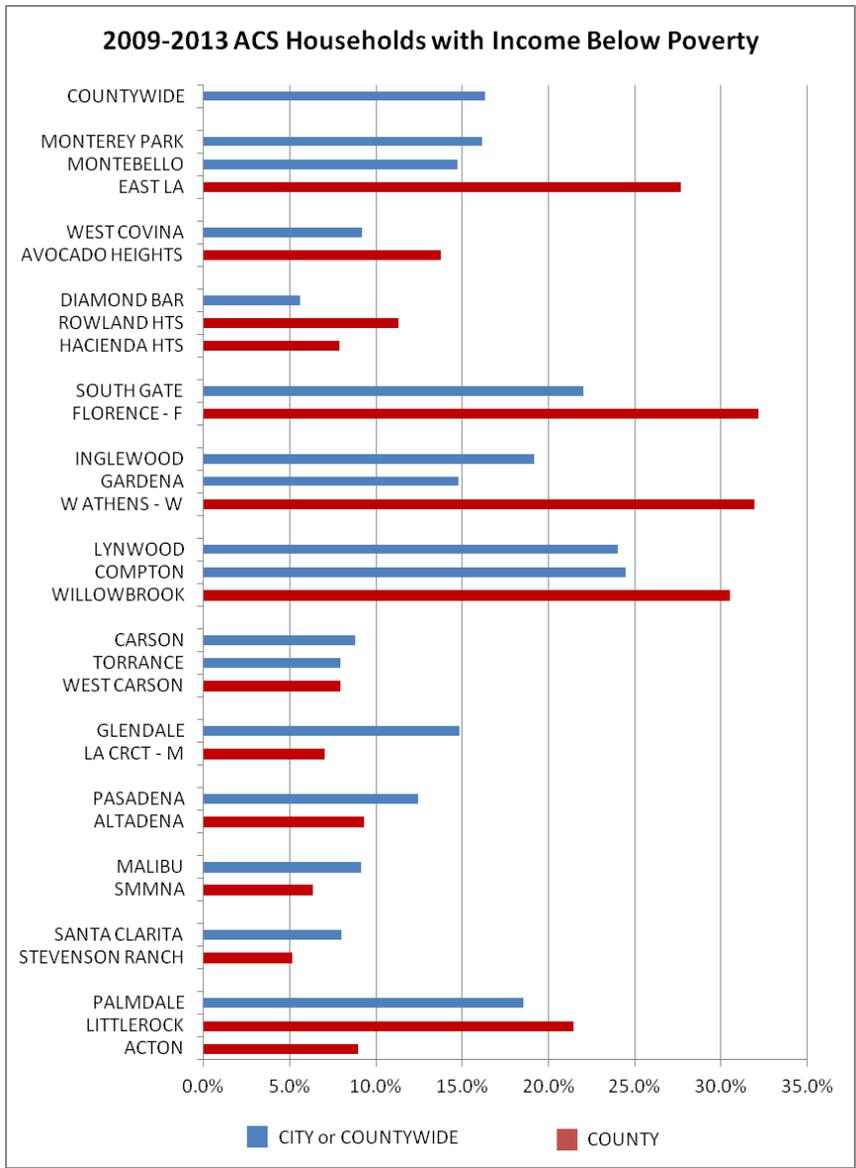
Source: Esri, 2015



Source: Esri, 2015

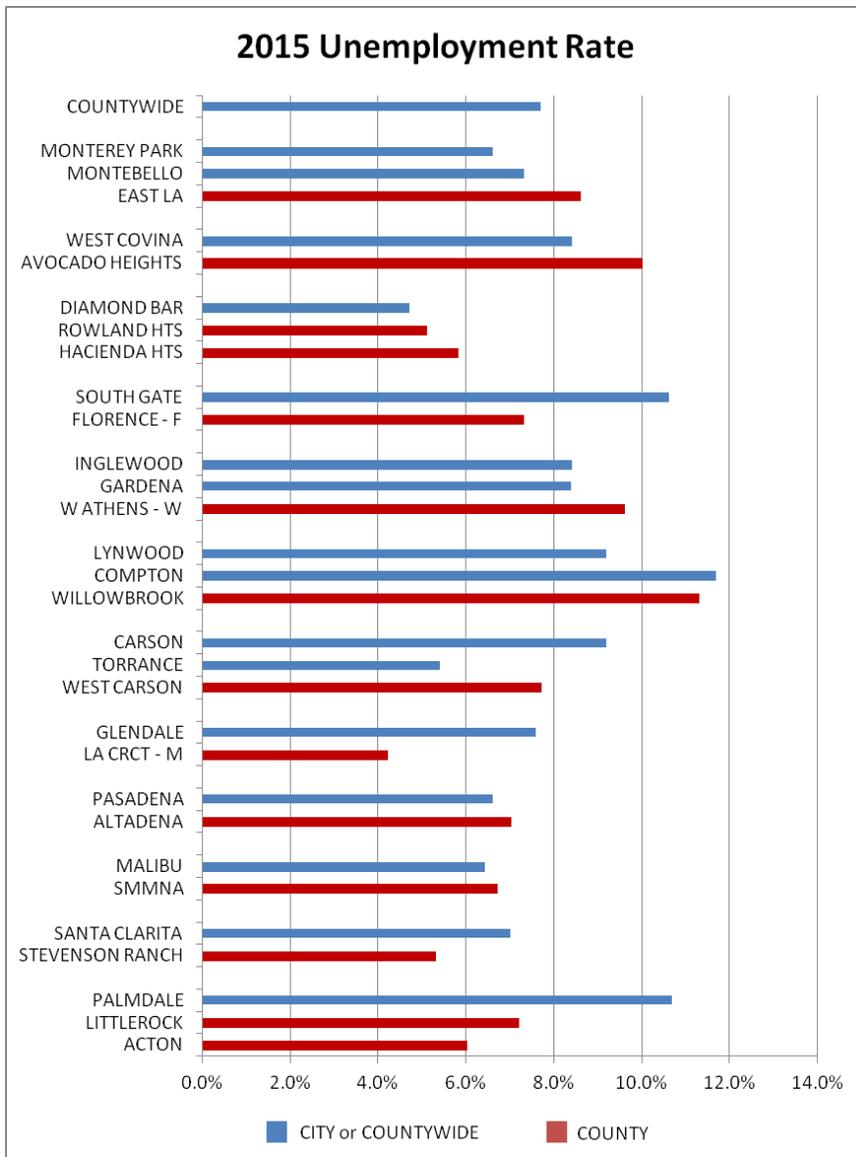
For both median household income and per capita income, four unincorporated communities have higher values than adjacent cities. These communities are Acton (compared to the City of Palmdale), Stevenson Ranch (compared to the City of Santa Clarita), La Crescenta-Montrose (compared to the City of Glendale), and Altadena (compared to the City of Pasadena). For all other groups, the unincorporated communities have lower values than adjacent cities.

A comparison of median home values shows a similar pattern as with income. Within four of the groups, the unincorporated communities--Acton, Stevenson Ranch, La Crescenta-Montrose, and Rowland Heights--have higher median home values than adjacent cities. For all other groups, the unincorporated communities have lower median home values than adjacent cities.



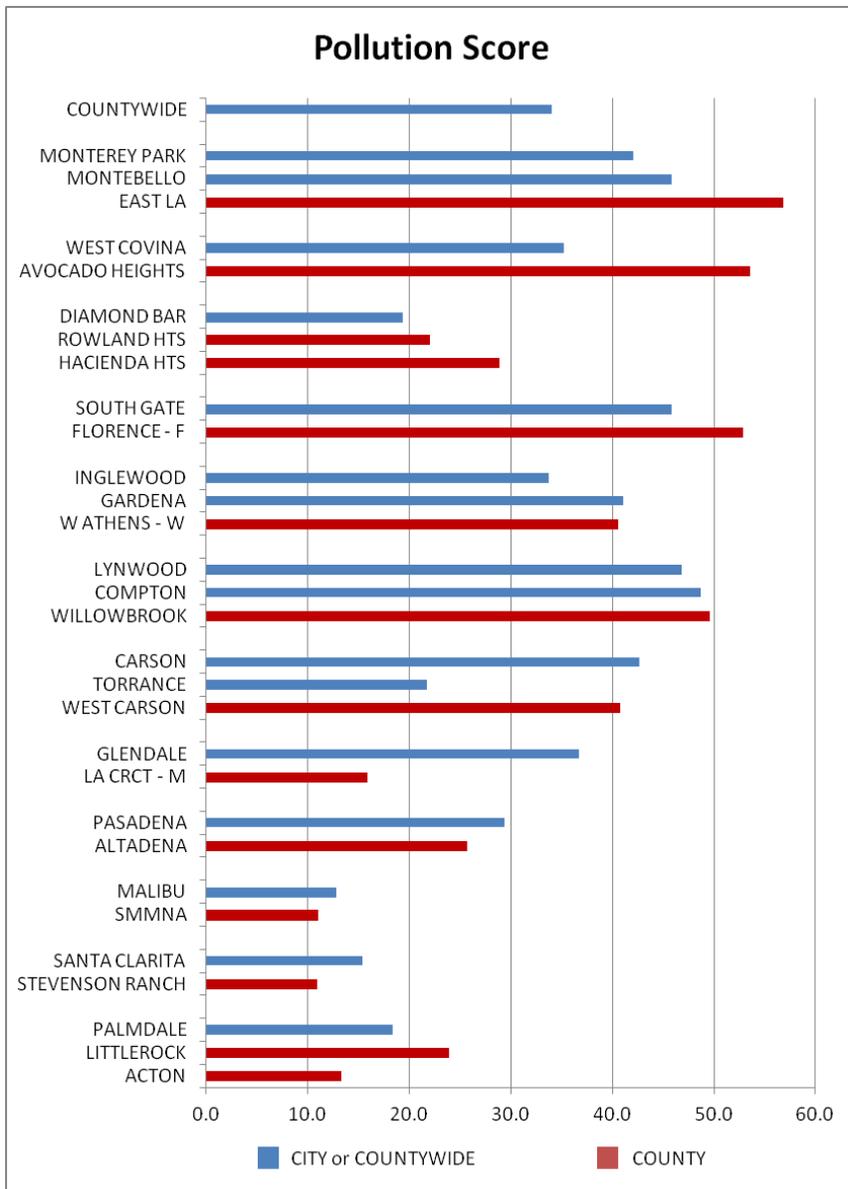
Source: American Community Survey, 2009-2013

The unincorporated communities also have higher percentage of households with income below poverty level in 7 out of 12 groups. In Rowland Heights, West Athens-Westmont, and East Los Angeles, the percentage of households with income below the poverty level is about twice as high as in adjacent cities (Diamond Bar, Gardena, and Montebello, respectively).



Source: Esri, 2015

The unemployment rates vary by group. Within six groups, the unincorporated communities have higher unemployment rates than adjacent cities. Within the other six groups, the unemployment rates in the unincorporated communities are lower than or in between adjacent cities.



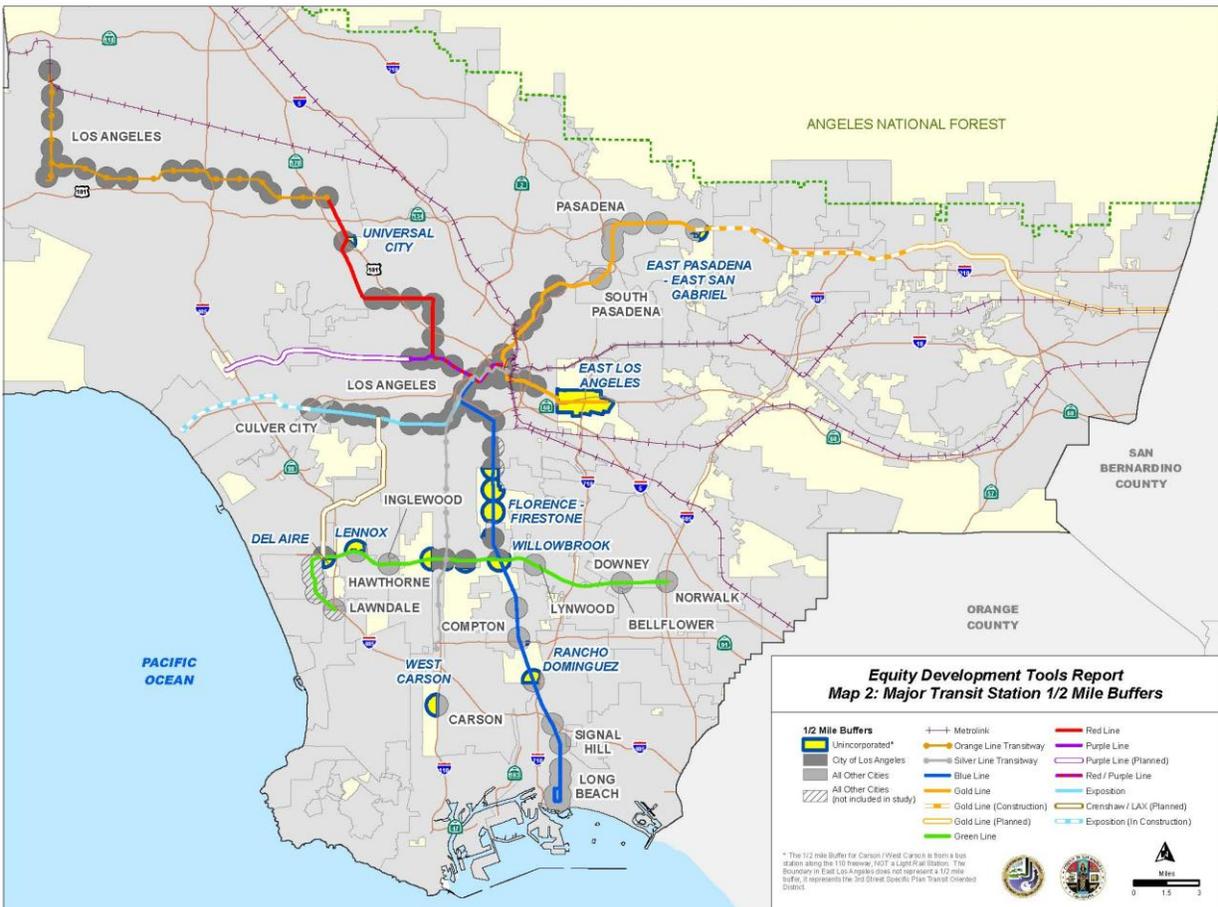
Source: California Environmental Protection Agency (CalEPA) CalEnviro Screen 2.0, October, 2014.

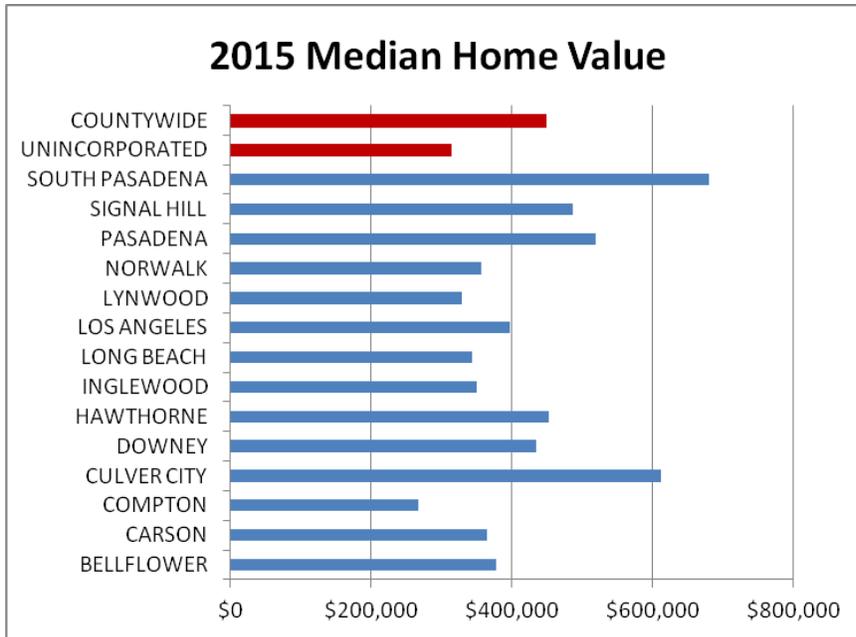
The pollution score is derived from CalEnviro Screen Version 2 that was released in October 2014 by California Environmental Protection Agency³ CalEnviro Screen is a screening methodology that can be used to identify California communities that are disproportionately burdened by multiple sources of pollution. Similar to unemployment rates, the pollution scores vary by group. Within six groups, the unincorporated areas have higher pollution scores than the adjacent cities. Within the other six groups, the pollution scores in the unincorporated areas are lower than or in between the adjacent cities. Also, there are notable contrasts within some groups, such as the West Carson and Torrance, and La Crescenta-Montrose and Glendale.

³ The US EPA has recently developed a similar environmental justice screening and mapping tool called EJSCREEN. <http://ejscreen.epa.gov/mapper/>

COMPARISON OF TRANSIT ORIENTED DISTRICTS (TODs) BY JURISDICTION

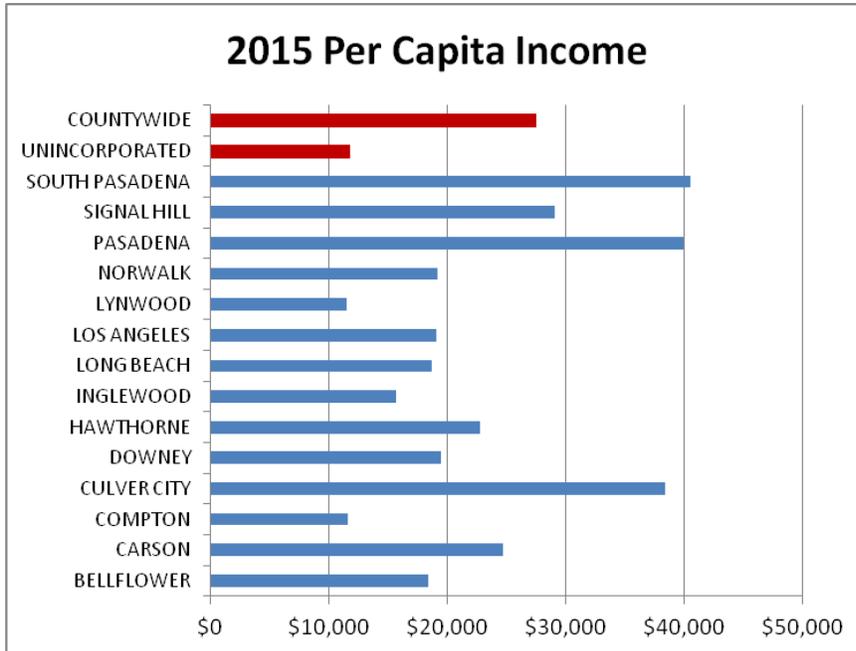
The second analysis compares similar indicators, but for TODs at the jurisdiction level—all 11 TODs in the unincorporated communities and TODs in 14 cities. TOD is defined as an area within ½ mile radius from a major transit station, and each city listed below may contain one or more TODs. Overall, the unincorporated TOD areas demonstrate clear indicators for weak markets. Median household income, per capita income, and median home value in the unincorporated TOD areas are significantly lower than those in the city TOD areas. Specifically, 28 percent of the households in the unincorporated TOD areas have income below the poverty level, which is notably higher than the average of 19.4 percent for all 15 communities.





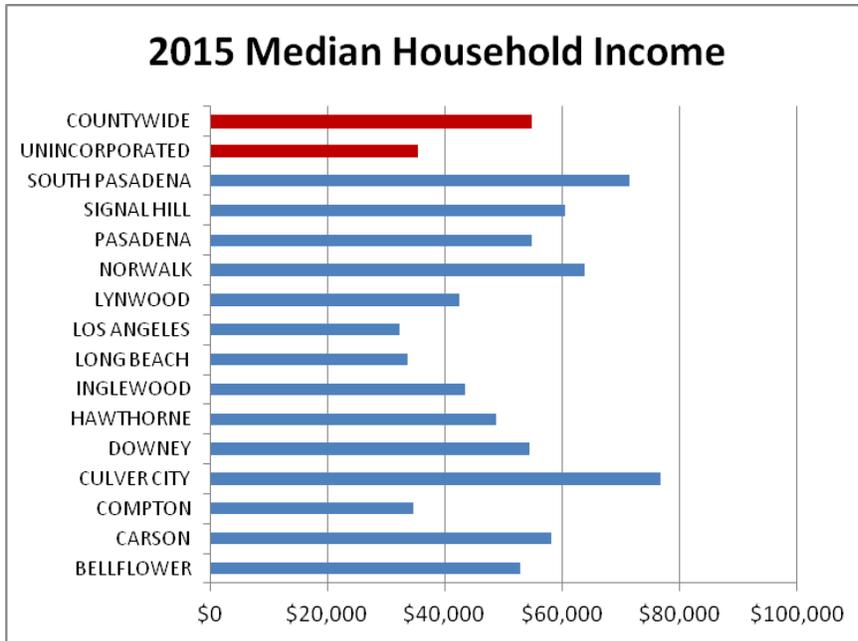
Source: Esri, 2015

Unincorporated TOD areas have lower median household income than most other city TOD areas. The overall range is between \$32,000 and \$77,000 approximately, and the median household income for the unincorporated TODs is approximately \$35,000.



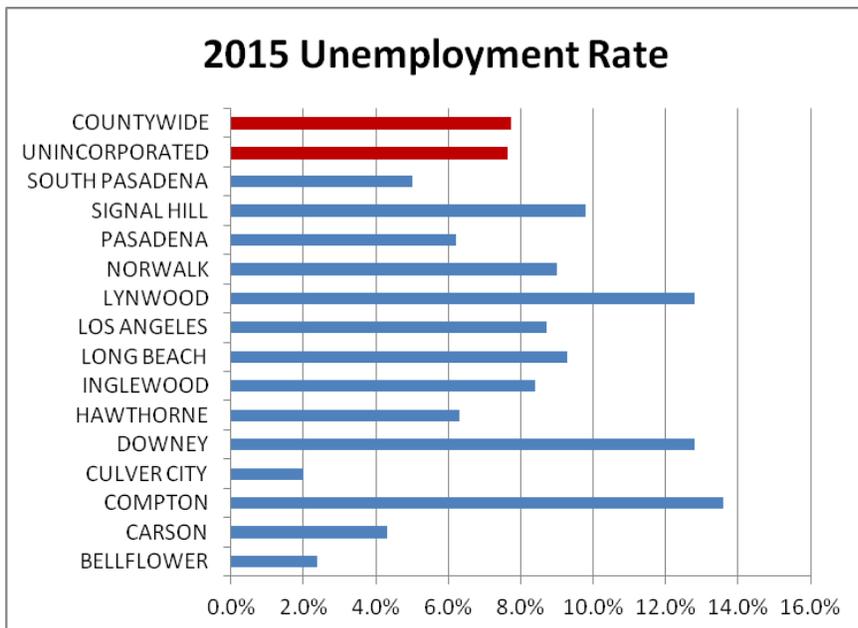
Source: Esri, 2015

Per capita income in all unincorporated TOD areas is slightly higher than \$10,000, the third lowest, when compared to that of city TODs. The highest per capita income is about \$40,000.



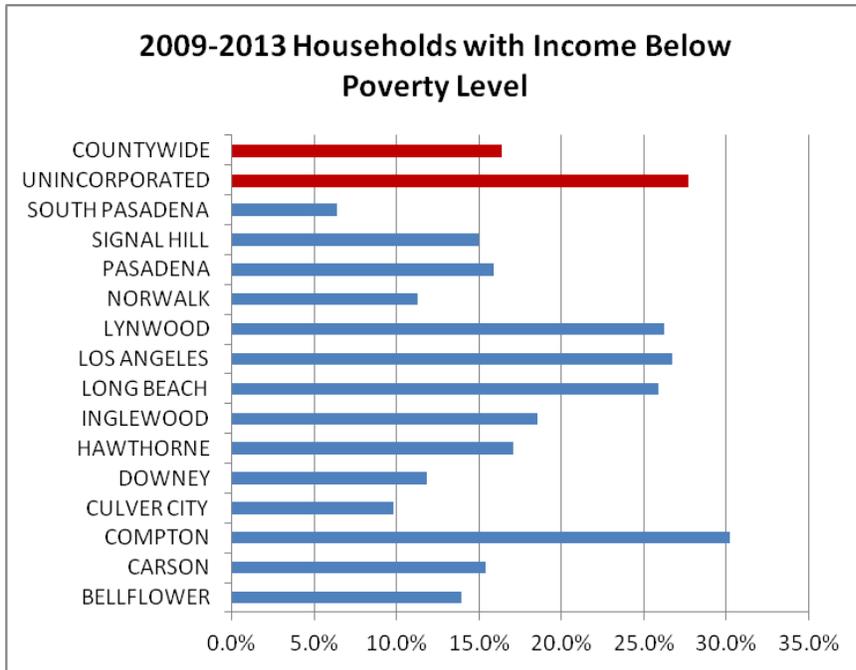
Source: Esri, 2015

Median home value in all unincorporated TOD areas is the second lowest, followed by TOD areas for the City of Compton. TODs in six cities have a median home value of \$400,000 or higher, and TODs in seven cities, including the unincorporated TODs, have a median home value between \$300,000 and \$400,000.



Source: Esri, 2015

The unemployment rate in the unincorporated TODs areas is close to 8 percent, which falls in the middle range when compared to city TOD areas. The range is approximately between 2 percent and 14 percent.



Source: American Community Survey, 2009-2013

Within the unincorporated TOD areas, 28 percent of households have income below poverty level, which is second to the City of Compton TOD area, which has 30 percent. This is significantly high compared to other city TOD areas--ten of which have less than 20 percent.

PART THREE: EQUITY DEVELOPMENT TOOLBOX

The unincorporated areas represent a diversity of environments and needs throughout Los Angeles County. Therefore, equity cannot be meaningfully addressed through a one-size-fits-all approach. The following toolbox provides policy options that should be applied as appropriate to address equity in the implementation of the General Plan.

VALUE CAPTURE

WHAT IS VALUE CAPTURE?

Local jurisdictions are seeking new ways to finance public benefits in the face of declining sources of dedicated funding. With the demise of tax increment financing in California, the future supply of affordable housing, in particular, is under threat and in need of new funding sources.

The term “value capture” has been used to describe a range of approaches to funding affordable housing and other public benefits. Generally speaking, value capture seeks to translate government actions that increase land values—such as upzoning or investing in public infrastructure—into community benefits.⁴ Examples of community benefits include maintenance of public infrastructure, affordable housing, open space, streetscape improvements, or cultural/educational facilities.

Specific tools that local jurisdictions use to raise revenues or extract community benefits from increased land or property values include:⁵

- Property tax (value is captured when property is reassessed at sale)⁶
- Special assessment districts (often associated with public infrastructure or services)
- Development impact fees
- Joint development, in which a public agency shares in revenues generated by a private development on public land
- Infrastructure financing districts
- Business improvement districts

Another form of value capture is a density bonus. Density bonuses allow local jurisdictions to approve higher residential density than would normally be allowed in exchange for providing affordable housing units. The added value associated with the increased density allowance that

⁴ (Calavita)

⁵ (Low Income Investment Fund, et. al.)

⁶ (Ingram, 2012) points out that property taxes capture value when they are not limited. Prop 13 allows property to be assessed at full market value only when there is a change of ownership, thereby limiting the value capture potential of property taxes in California.

a land owner receives is captured for the benefit of the public through increasing the supply of affordable units.

A wider application of the voluntary density bonus is a value capture policy that requires affordable housing to be provided in exchange for a broad array of discretionary entitlements. For example, a 2014 motion proposed in the Los Angeles City Council requested that the City study the feasibility of a “value capture policy” described as an affordable housing requirement that would be attached to discretionary entitlements such as zone changes, variances and general plan amendments.⁷

Another example of value capture is mandatory inclusionary zoning, either throughout a local jurisdiction or in certain neighborhoods where a minimum number of affordable units are required in new development projects.⁸

In addition to across-the-board policies, local jurisdictions can use value capture tools to extract community benefits on a case-by-case basis via development agreements or project approval conditions where there is a demonstrated link between the projects impacts and the required community benefit. They can also proactively create value capture tools that are built into community plans. Each approach is described in the following sections, based on examples provided in Calavita (n.d.) and Hickey (2014). A note of caution: In many communities, the objective may be to stimulate investment, and value capture strategies may be counter-productive. In communities that have not seen new investment, careful market research is necessary to understand the consequences of a value capture program.

DEVELOPMENT AGREEMENTS AND DISCRETIONARY PERMITS

The City of Santa Monica updated its Land Use and Circulation Element (LUCE)⁹ in 2010. The document created a framework for attaching requirements for community benefits to height increases above base heights limit (at about 32 feet, or slightly higher if the project is already required to provide affordable units under the City’s existing inclusionary housing program). Under a tiered program, an additional increase in height requires a development agreement or a discretionary review, as well as progressively more community benefits, depending on the amount of increase requested. The height limits under the tiers vary according to district. The approach is tailored to the City of Santa Monica’s robust real estate market.

The LUCE is currently being amended along with the zoning code, so implementation details of the community benefits policy are still evolving. As of April 2015, the City’s draft zoning code update identifies four types of community benefits that would be required from projects seeking discretionary height increases. These include affordable and workforce housing; trip reduction and traffic management; community physical improvements; and social and cultural facilities. Depending on the type of project, the benefits are provided through a combination of onsite

⁷ (Los Angeles City Council, 2014)

⁸ (Hickey, 2014)

⁹ (City of Santa Monica, 2010)

provision and/or in-lieu fees for affordable housing, open space, transportation demand management measures and transportation impact fees.¹⁰

Small value capture projects have been approved under the LUCE framework. However, one project proposed in 2014 would have resulted in the creation of 93 affordable units and contributions of \$11 million to early childhood education programs and \$3 million of investment in bike sharing and traffic demand management programs. However, due to residents' concerns over traffic impacts, the City withdrew its initial approval of the project. This shows that a well thought out communication strategy regarding the substantial public benefits of value capture programs is necessary to ensuring success.¹¹

COMMUNITY PLANS

The City and County of San Francisco adopted the Eastern Neighborhoods Area Plan in 2008. In the Plan's Urban Mixed Use (UMU) zoning districts, affordable housing requirements go beyond those required by the City's existing inclusionary housing program. As with Santa Monica, the Plan uses a tiered system of height increases above baseline to assign affordable housing requirements to projects.

Tier	Height Increase Allowed	Minimum On-site Affordable Housing Set-Aside	Off-Site/In-Lieu Requirement
A	8 feet or less, or a reduction in height	18% of total units	23% of total units
B	9-28 feet	20% of total units	25% of total units
C	29 feet or more	22% of total units	27% of total units

Developers may also satisfy the requirement by paying an in-lieu fee, dedicating a portion development site for the construction of affordable housing, or providing affordable units to qualified middle-income households.¹²

Height increases above baseline in the Eastern Neighborhoods Plan also carry special fees to fund public infrastructure and community benefits, such as public open space, recreational facilities, transit, streetscape, child care facilities, library materials, or housing preservation and development. The fees, supported by nexus studies, are shown in the table below.¹³

¹⁰ (City of Santa Monica, 2015)

¹¹ (Hickey, 2014)

¹² (City and County of San Francisco, 2014)

¹³ (City and County of San Francisco, 2014)

Tier	Height Increase Allowed	Fee (Residential Development)	Fee (Non-Residential Development)
1	8 feet or less	\$9.71 per gross square foot	\$7.28 per gross square foot
2	9-28 feet	\$14.56 per gross square foot	\$12.14 per gross square foot
3	29 feet or more	\$19.42 per gross square foot	\$16.99 per gross square foot

The City of Los Angeles adopted the Cornfield Arroyo Seco Specific Plan (CASP) in 2013. Instead of incentivizing community benefits through height increases or a density bonus, the Plan uses floor area bonuses to spur the creation of affordable housing and other public benefits.¹⁴

Floor area bonuses can be achieved by providing a certain percentage of affordable housing units. The amount of bonus, percentage and income level restriction varies by zone. Affordable housing projects are also eligible for citywide incentives, such as waivers from development standards. Alternatively, floor area bonuses can also be achieved by providing public open space, community facilities or public passageways, either on-site or elsewhere in the Specific Plan area.

The CASP also allows transfer of floor area within the Specific Plan area. Residential projects of greater than 15 units must provide affordable housing to be eligible to receive transferred floor area from a site with unused FAR. Alternatively, the receiving site can receive the transferred floor area from a site with affordable housing. The CASP outlines a payment process for the purchase of transferred floor area. Floor area purchased from City-owned sites goes into a fund to pay “improving river access, overall river enhancements, non-vehicular transportation improvements, removing visual blight, improving public safety and affordable housing.”¹⁵

MARKET CONDITIONS

Local jurisdictions are increasingly using planning tools such as density, height, and floor area bonuses to achieve affordable housing and other community benefits goals. They are doing so through voluntary programs, mandatory programs, within select areas that have been upzoned, or through broadly applied requirements automatically triggered by applications for entitlement relief.¹⁶

Research suggests that value capture policies work best in areas with strong or strengthening housing markets.^{17,18} If additional density, floor area, or height will not create a windfall for developers that will subsidize the affordable units, there is little incentive for them to pursue such programs. Other conditions that facilitate the success of value capture programs include public subsidies, community support, and broad geographic applicability. In addition, careful evaluation must be undertaken to understand the neighborhood impacts.

¹⁴ (Los Angeles Department of City Planning, 2013)

¹⁵ (Los Angeles Department of City Planning, 2013)

¹⁶ (Hickey, 2014)

¹⁷ (Hickey, 2014)

¹⁸ (Low Income Investment Fund, Center for Transit Oriented Development, Enterprise Community Partners, 2013)

ECONOMIC DEVELOPMENT

LOCAL HIRING POLICIES

In the public sector, local hiring policies are common among larger agencies that oversee multi-million dollar construction projects, such as large public buildings and infrastructure improvements. In 2012, the UCLA Labor Center released a report entitled *On Track for Quality Careers: Project Labor Agreements and the Los Angeles County Metropolitan Transportation Authority* (Metro),¹⁹ which evaluated the use of project labor agreements (PLAs) in Metro projects to recruit new and disadvantaged workers into the construction workforce. Generally, PLAs contain agreements with specifically targeted hiring and investments to create employment and career pathways for individuals from historically under-served communities. PLAs also include policies to ensure compliance and to track the actual outcomes. In its report, the UCLA Labor Center cites a Cornell University study of 185 PLAs nationwide that found common challenges were setting realistic hiring targets to recruit and train people who fit the established targeted hiring provisions for a specific geography. They also found that it was important to incorporate reasonable flexibility into these agreements so that unanticipated circumstances can be accommodated.

The report highlights the Los Angeles County Metropolitan Authority's (Metro) recently implemented PLA noting that it uses economically-based hiring provisions. Because Metro receives federal funding for its work, they are precluded from limiting employment to or placing preference on workers from certain geographies. Under this scheme, "anyone from across the country who lives in what is defined as an economically disadvantaged zip code or who qualifies under the definition of a disadvantaged worker can be eligible for the targeted hiring program." The program contains apprenticeship utilization goals (20 percent of all work hours to be performed by apprentices) that create work opportunities for entry-level workers and those in apprenticeship programs who need more hours to advance toward journey-level status.

The report concludes that PLAs are one of the most effective tools to be able to achieve workforce development goals, but that strong policies alone are not enough. Success hinges on how the policies are implemented, requiring dedicated staff and financial resources, commitment from leadership, participation of pre-apprenticeship programs and labor organizations, supportive programs for workers and small contractors, and coordination of diverse stakeholders.

Local hiring policies can also be incorporated through the use of development agreements and CBAs. Usually in exchange for some type of public subsidy or funding, or for an expedited entitlement process and development certainty, private developers are willing to structure a development agreement or a CBA where the developer contractually agrees with the local jurisdiction to provide benefits such as infrastructure improvements, the dedication of public open space, or the creation of a special fund for community benefit. CBAs involve direct negotiations with affected stakeholders and result in a project that moves forward with

¹⁹ <http://constructionacademy.org/our-work/research-reports/>

community support. For the governing agency, development agreements and CBAs offer a mechanism to reasonably condition development in a manner that otherwise may not be provided in local land use regulations.

The use of development agreements and CBAs is common in local jurisdictions across the country for projects large and small. In the City of Los Angeles, a few notable examples²⁰ of major projects with local hiring policies include Hollywood and Highland (2001), the LAX modernization plan (2004), North Hollywood Commons (2007), and the Staples Center (2007). Local hire policies can range from stipulating the number of permanent jobs created by the project to local hiring requirements during construction and in all jobs created under future lease and contract agreements.

In 2014, the City of Seattle commissioned a report from the UCLA Labor Center entitled: *Exploring Targeted Hire: An Assessment of Best Practices in the Construction Industry*.²¹ For this report, analysts reviewed numerous public project PLA's from across the country as well as the adopted local hire ordinances in San Francisco (2010), Milwaukee (2009), Richmond, CA (2006), Cleveland (2003), East Palo Alto (1996), Oakland (2001), and a 2012 local hire pilot program in Portland that uses a citywide CBA template. The report also considers other methods to encourage local hiring that include updating particular contract provisions, issuing executive orders, adopting resolutions, developing contractor standards and allowing market forces to direct hiring.

The report concludes that all targeted hire strategies can be effective and are highly adaptable, with each offering advantages and disadvantages depending on the context and jurisdiction. Across the spectrum of strategies, best practices include: 1) broad stakeholder collaboration; 2) realistic hiring goals that can be communicated and measured; 3) promotion of the initiative's goals and the steps needed for implementation; 4) anticipating the needs of contractors and addressing barriers through programmatic support particularly for small, women-owned and minority-owned business enterprise contractors; 5) partnerships with community organizations, unions, and workforce development providers to recruit new workers;²² 6) investment in pre-apprenticeship programs; 7) support of registered apprentice programs; 8) support of job placement systems and worker retention; and 9) robust compliance systems.

AFFORDABLE HOUSING

COMMUNITY LAND TRUSTS

A land trust is an agreement that allows one party, the trustee, to hold ownership of a piece of real property for the benefit of another party, the beneficiary. A Community Land Trust (CLT) is a property trust that aims to benefit the surrounding community by ensuring the long-term

²⁰ <http://www.forworkingfamilies.org/sites/pwf/files/publications/0708-MakingDevelopmentWorkForLocalResidents.pdf>

²¹ <http://www.seattle.gov/contracting/docs/labor/TargetedHire.pdf>

²² Of note is the Youth Build Program. For more information, see <https://www.youthbuild.org>.

availability of affordable housing. CLTs are set up as Section 501(c)(3) nonprofit organizations. CLTs have been established to serve inner-city neighborhoods, small cities, clusters of towns, and rural areas. Most CLTs focus on the production of affordable ownership housing. The CLT owns the land in perpetuity and sells the home on that land. With the value of the land taken out of the equation, the home price dramatically drops. The homebuyer will lease the land from the CLT at a minimal or no cost and may sell the home at any time. However, the homeowner is entitled to only a proportion of the appreciated equity of the home and must also agree to sell to someone else who qualifies for the program. The formula to create an affordable price to both the seller and the buyer ensures continued affordability. Some CLTs also pursue multi-family housing projects. The CLT can work with various ownership structures for multifamily buildings: the CLT may own and manage a building as rental housing; another nonprofit may own and manage the building as rental housing; or the residents may own the building as a cooperative or as condominiums. CLTs in Southern California include the Beverly-Vermont CLT, TRUST South L.A. and Irvine CLT.²³

LINKAGE FEES ON COMMERCIAL DEVELOPMENT

Commercial linkage fee programs for housing are based on the rationale that employment growth generates the need for housing. In addition, certain industries, such as retail, service, and hospitality, generate larger proportions of lower paying jobs and therefore increase the need for affordable housing. Commercial linkage fee programs establish a reasonable share of the affordable housing impacts to commercial development. To enact a linkage fee program, a study to establish the nexus between commercial development and the increased need for affordable housing, and the reasonable share of costs by the different types of commercial development will be required.

Linkage fees on commercial development are fees based on square footage or total development costs. For example, the fee in Boston is \$8.34 for each square foot above 100,000 for affordable housing, and \$1.67 for jobs programs.²⁴

INCLUSIONARY HOUSING

Inclusionary housing, also known as inclusionary zoning or mixed-income housing, is a policy tool that requires or encourages private housing developers to include a certain percentage of income-restricted units within market rate residential developments. There are three basic types of inclusionary housing policies: 1) Voluntary inclusionary housing policies encourage developers to build affordable housing by offering incentives. The State of California employs this strategy through the implementation of the State Density Bonus Law; 2) Mandatory inclusionary housing policies require developers to include a portion of income-restricted units within a market rate development; 3) Conditional, or *quid pro quo*, inclusionary housing policies only require developers to build affordable housing in conjunction with discretionary approvals, such as zone changes and plan amendments. The 2008 Housing Element included a program to study the feasibility of establishing an inclusionary housing policy for the unincorporated areas. In 2012, DRP prepared a report to the Board of Supervisors, which concluded that

²³ For more information on CLTs see: Lincoln Institute of Land Policy's *The City-CLT Partnership* Policy Report: https://www.lincolnst.edu/pubs/1395_The-City-CLT-Partnership and National Community Land Trust Network, Program Directory: <http://cltnetwork.org/directory/>.

²⁴ (Adams, 2015)

inclusionary housing is not feasible, given the legislative environment at the state-level to not allow local mandatory rental policies. However, the report can inform future studies regarding inclusionary housing.

PUBLIC HEALTH AND ENVIRONMENTAL JUSTICE

DATA-DRIVEN POLICYMAKING

Addressing the social and economic determinants of health is critical to improve health outcomes in Los Angeles County.²⁵ The use of health and environmental indicators for priority setting, project development, and to inform decision-making can further equity in the implementation of the General Plan. A data-driven approach can improve access to healthy food, bike and pedestrian infrastructure, parks and open space, safe and reliable transit, and health care.

The Los Angeles Equity Atlas²⁶ is a data-driven tool that helps further equity goals in land use and transportation decisions. Specifically, the tool focuses on the following: increasing mobility, access and connectivity; preserving and creating affordable housing and managing neighborhood change; supporting economic and workforce development; and investing in healthy communities. The Department of Public Health and The California Endowment recently funded the development of the *Plan for a Healthy Los Angeles*, a Health and Wellness Element for the City of Los Angeles General Plan. As part of the Plan's development, the City produced a Health Atlas and accompanying interactive web site with community profiles (available at: <http://healthyplan.la/>). The Atlas and profiles map disparities across the city's neighborhoods for over 100 health, education, and socio-economic indicators. They highlight the importance of considering geographic equity in future programs and policy development. Another example of a tool that uses health and safety indicators to inform decision-making for land use and transportation is the eTOD score,²⁷ which is a rating system to inform decisions about equitable transit-oriented development planning and projects. The eTOD score uses indicators to define what a high-performing, equitable TOD is, which can then be used as a benchmark to evaluate future actions. Furthermore, the Department of Parks and Recreation is currently working on a needs assessment for parks and recreation in cities and unincorporated communities in Los Angeles County. The needs assessment is a collaborative process to gather data and input for future decision-making on park and recreation. The assessment will increase understanding of existing assets and help determine how to improve, expand, and increase access. There will be final report that determines study areas and identifies, prioritizes, and outlines costs for potential programs. For more information, visit <http://lacountyparkneeds.org>.

²⁵ Los Angeles County Department of Public Health (2013)

http://publichealth.lacounty.gov/epi/docs/SocialD_Final_Web.pdf

²⁶ California Community Foundation and Reconnecting America (2013)

²⁷ Dukakis Center for Urban and Regional Policy at Northeastern University and the Center for Transit Oriented Development (CTOD)

GREEN ZONES

Equity development tools to address environmental justice should include a combination of strategies to immediately address impacts and long range planning. Identifying toxic hotspots through a data-driven and stakeholder-driven approach and developing targeted demonstration projects, incentives, or pilot projects are some notable strategies.

Clean Up Green Up is a grassroots public health, economic, and environmental justice initiative in the City of Los Angeles that prevents pollution and revitalizes communities through a number of strategies, including the establishment of “green zones.” Green zones are zoning overlays that will apply to the following pilot communities: Boyle Heights, Pacoima/Sun Valley, and Wilmington. The initiative proposes ways to address land uses that impact where people live or gather--particularly those that impact sensitive receptors, such as seniors and children.

The green zones proposed as part of the *Clean Up Green Up* initiative deters truck idling, includes performance standards for new development designed to reduce impacts on neighborhoods, buffers neighborhoods from auto-related operations, and requires enclosures for air emissions. The initiative will also establish ombudsperson services for businesses within the green zones to streamline permitting processes and to provide financial and technical support; and require buildings within 1,000 feet of a freeway to post signage related to the health effects of prolonged exposure to air toxics. The initiative is currently being considered by the City.

PART FOUR: FINDINGS AND ADDITIONAL CONSIDERATIONS

FINDINGS

The following findings are based on the staff's research of the unincorporated area context and equity development tools, and stakeholder interviews:

- Addressing equity requires targeted, geographically specific approaches in areas with the greatest needs, and should be embraced as an issue of regional importance.
- The implementation of the General Plan presents opportunities to address equity in the unincorporated areas. These include TOD specific plans, Area Plans, Capital Improvement Plans, and multiple ordinances.
- There are opportunities to enhance existing equity tools, such as the Density Bonus Ordinance and local hiring strategies.
- A preliminary analysis of indicators suggests that some unincorporated areas face greater socio-economic and other challenges than adjacent cities.
- Equity development tools are best applied in a local context.
- Changes to zoning and land use provide opportunities to capture value that can be used for affordable housing and other community benefits. Special considerations should be given to the application of value capture strategies in weak market areas, which may be counter-productive or require phases or triggers for when market conditions improve.
- In the context of General Plan implementation, development agreements and CBAs are appropriate tools to incorporate local hiring strategies.
- With housing affordability becoming a greater challenge, it is important for the County to consider the feasibility of innovative affordable housing tools, such as community land trusts, linkage fees on commercial development, and inclusionary housing.
- A data-driven approach to project development, funding distribution, and implementation, using key, community-specific health and environmental indicators, is a necessary tool to further equity goals and to track the County's progress in meeting and maintaining those goals.
- Addressing environmental justice requires short term and long term solutions. A targeted policy, such as green zones, can help focus resources in areas with the most immediate needs and with the greatest environmental impacts.

- Robust community engagement at different levels and continued interdepartmental collaboration are necessary steps to further equity goals.

ADDITIONAL CONSIDERATIONS

In addition to considering the toolbox of equity development tools in the implementation of the General Plan, as presented in this report, staff recommends that the Board also consider the following next steps:

EQUITY SCORECARD TO PRIORITIZE AND GUIDE THE IMPLEMENTATION OF THE GENERAL PLAN

Prepare an equity scorecard to prioritize projects and to ensure that equity is addressed in the implementation of the General Plan and distribution of resources. The scorecard could work in conjunction with health, environmental, and socio-economic data, and draw from new and existing resources, such as the Department of Public Health’s reports on how social and economic factors impact health.²⁸²⁹

This scorecard can also be used to assess the opportunities to incorporate appropriate equity development tools, such as value capture strategies, into a planning effort, such as an area plan, TOD specific plan, or parks master plan. The scorecard will ensure that all General Plan implementation projects will be assessed through an equity lens, and create accountability. The scorecard can serve as a basis for developing an assessment tool that can be applied to County operations and initiatives beyond the scope of the General Plan.

STANDARDIZED PROCESS FOR DEVELOPMENT AGREEMENTS AND COMMUNITY BENEFITS AGREEMENTS

Standardize and coordinate development agreements and community benefits agreements for local hiring, affordable housing, and the provision of other community and social benefits. Better coordination between County departments can ensure that broader equity goals are being addressed, and could even enhance the impact of these community benefits.

REVISIONS TO THE DENSITY BONUS ORDINANCE

Revise the Density Bonus Ordinance. Revisions could include policies designed to be used in conjunction with local value capture strategies, as well as offering density bonuses for extremely low income housing set asides, and projects that facilitate social equity and healthy lifestyles eg., health, mobility, jobs, etc., and greater density bonuses for 100 percent affordable projects.

GREEN ZONES PILOT PROGRAM

Initiate a data-driven, grassroots pilot program, similar to *Clean Up Green Up*, to identify toxic hotspots in the unincorporated areas, establish policies that address short term and long term

²⁸ Department of Public Health “How Social and Economic Factors Affect Health” (2013)
(http://publichealth.lacounty.gov/epi/docs/SocialD_Final_Web.pdf)

²⁹ Department of Public Health “Housing and Health in Los Angeles County” (2015)
(http://www.publichealth.lacounty.gov/ha/reports/LAHealthBrief2011/HousingHealth/SD_Housing_Fs.pdf)

impacts of prolonged exposure to pollution, and promote quality of life and economic development. The effort should draw from new and existing resources, such as analyses from the Department of Public Health.

EQUITY OUTREACH FRAMEWORK

Develop a framework for facilitating robust community engagement at all levels. The purpose of the framework is to ensure that the County's goals to promote equitable development is addressed in all implementation programs, and to facilitate continued participation with internal and external community partners, in the discussions on the progress of desired outcomes.

The framework can include the establishment of local advisory committees, organization of ground-truthing activities, facilitation of roundtable or focus group discussions, and/or the assemblage of experts that can provide technical support to facilitate outreach.

Staff recommends that the Board instruct Regional Planning to work with other departments and stakeholder partners to facilitate the implementation of these next steps.

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